



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

May 24, 1994

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

Robert L. Morgan  
State Engineer

1636 West North Temple, Suite 220  
Salt Lake City, UT 84116-3156  
801-538-7240  
801-538-7467 (Fax)

Mr. Larry M. Carter  
P. O. Box 939  
Milford, Ut 84751

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Carter:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **N 20 FT & W 900 FT, E4, SEC 2, T29S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.



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801-538-7467 (Fax)

Mr. Robert Christiansen  
P. O. Box 307  
Beaver, Ut 84713

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Christiansen:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following locations N 1665 FT & W 40 FT, S4, SEC 23, T29S, R11W; N 1310 FT & W 1300 FT SEC 23, T29S, R11W are not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your wells to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.



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May 24, 1994

Mr. Jim W. Craw  
P. O. Box 38  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Craw:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following locations S 1310 FT & E 1285 FT, N4, SEC 19, T30S, R10W; N 1960 FT & E 670 FT, S4, SEC 19, T30S, R10W are not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your wells to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.



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1636 West North Temple, Suite 220  
Salt Lake City, UT 84116-3156  
801-538-7240  
801-538-7467 (Fax)

Mr. William L. Dalton  
P. O. Box 103  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Dalton:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **N 170 FT & W 480 FT, SE4, SEC 35, T28S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.



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1636 West North Temple, Suite 220  
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801-538-7467 (Fax)

Mr. Stanley G. Dalton  
P. O. Box 13  
Minersville, UT 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Dalton:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following locations S 2600 FT & W 1330 FT, NE4, SEC 12, T28S, R11W; S 40 FT & E 1320 FT, N4, SEC 12, T28S, R11W are not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your wells to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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801-538-7467 (Fax)

T & D Ranch Enterprises, Inc.  
Dale Eyre  
P. O. Box 103  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Eyre:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following locations N 20 FT & E 1310 FT, S4, SEC 8, T29S, R10W; S 2700 FT & W 2710 FT, NE4, SEC 17, T29S, R10W are not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your wells to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.



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Salt Lake City, UT 84116-3156

801-538-7240

801-538-7467 (Fax)

Dan Goff  
P. O. Box 114  
Minersville, UT 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Goff:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **N 1340 FT & E 1330 FT, SW4, SEC 17, T30S, R10W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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May 24, 1994

Holmes Investment  
Billie Dalton  
290 West 200 North  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Dalton:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **S 220 FT & W 70 FT, E4, SEC 24, T28S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.







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May 24, 1994

Mr. Ross Marshall  
P. O. Box 247  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Marshall:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **S 2640 FT & W 15 FT, N4, SEC 27, T29S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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801-538-7467 (Fax)

May 24, 1994

Mr. Christen Marshall  
P. O. Box 276  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Marshall:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **S 2640 FT & W 15 FT, N4, SEC 27, T29S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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Salt Lake City, UT 84116-3156  
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801-538-7467 (Fax)

May 24, 1994

Mr. Max Mayer  
66 South 400 West  
Milford, Ut 84751

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Mayer:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **N 1330 FT & E 25 FT, S4, SEC 19, T28S, R10W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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801-538-7467 (Fax)

Mr. Walter Price  
c/o Richard Limb  
P. O. Box 77  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Price:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following **N 40 FT & W 780 FT, SE4, SEC 6, T29S, R10W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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801-538-7467 (Fax)

Mr. James M. Williams  
P. O. Box 131  
Minersville, Ut 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Williams:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **S 1050 FT & E 2535 FT, W4, SEC 1, T29S, R11W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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1636 West North Temple, Suite 220  
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801-538-7467 (Fax)

Mr. Brett T. Yardley  
P. O. Box 877  
Beaver, Ut 84713

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Yardley:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **S 1250 FT & E 565 FT, NW4, SEC 32, T28S, R10W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.





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801-538-7467 (Fax)

Mr. Ronald L. Paice  
580 North 400 West  
Beaver, Ut 84713

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Paice:

On March 18, 1994, an amended notice of agency action was sent to you which allowed an alternative (pitot tube measurement) to measuring devices which would satisfy the State Engineer's requirement that all wells in the Milford Area be metered. The amended notice stated that all wells were to be equipped with functional and accurate measuring devices or provisions were to be made to have it measured by pitot tube before the start of the 1994 irrigation season.

On May 5, 6, 10, and 11, Division of Water Rights staff and the water commissioner inspected each of the wells in the area for compliance with the measuring device requirement. According to our inspection, your well or wells at the following location **N 1315 FT & E 1590 FT, SW4, SEC 4, T29S, R10W** is not in compliance with the requirement because it does not have a functional and accurate water meter and there has been no provision made for your well to be measured by pitot tube.

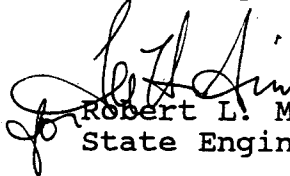
Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter is installed or provisions have been made (according to the rules set forth in the March 18th amended notice) for the well(s) to be measured by pitot tube. Compliance with this order will be determined by field inspection within the next week. If you continue to use water in violation of this Order, legal proceedings will be initiated against you to enforce this Order.

Order to Cease Use of Water  
Milford Area Distribution System  
Continued -page 2-

This Order is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, as amended, which provide for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite for a court appeal. A court appeal must be filed within 30 days after the date of this Order, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the request is filed.

If you have any questions concerning this Order, please contact Lee H. Sim, Assistant State Engineer at 538-7380 or Gerald Stoker, Cedar City Regional Engineer at 586-4231.

Sincerely,

  
Robert L. Morgan, P.E.  
State Engineer

cc: Lee H. Sim  
Gerald Stoker  
James Mayer  
Richard Jefferson  
John H. Mabey Jr.